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<h1>TRANSMITTAL FORM</h1> <p><i>(to be used for all correspondence after initial filing)</i></p>	Application Number	10/617,489	
	Filing Date	July 10, 2003	
	First Named Inventor	Thomas L. CANTOR	
	Art Unit	1641	
	Examiner Name	C. Cheu	
Total Number of Pages in This Submission	9	Attorney Docket Number	532212000623

ENCLOSURES <i>(Check all that apply)</i>		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Statement of Substance of Interview, plus Exhibits 1 to 5 (8 pages)
Remarks		<b>CUSTOMER NO. 25225</b>

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP		
Signature	/Peng Chen/		
Printed name	Peng Chen		
Date	November 8, 2007	Reg. No.	43,543

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Thomas L. CANTOR

Application No.: 10/617,489

Confirmation No.: 4476

Filed: July 10, 2003

Art Unit: 1641

For: METHODS, KITS AND ANTIBODIES FOR  
DETECTING PARATHYROID HORMONE

Examiner: C. Cheu

**STATEMENT OF SUBSTANCE OF INTERVIEW**

MS Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

On November 6, 2007, Examiner Jacob Cheu and the undersigned had a telephonic interview to discuss the various outstanding issues for the present application. Applicant and the undersigned greatly appreciate Examiner Cheu for granting the interview and discussing the various issues with the undersigned. The following is a summary of the November 6, 2007 interview:

Examiner Cheu requested copies of several initialed PTO Form SB/08s. Specifically, copies of the SB/08s from April 18, 2005, August 5, 2005, May 3, 2006, December 20, 2006, January 24, 2007, February 2, 2007 and April 10, 2007. Upon a review of the applicants' file, the following initialed PTO Form SB/08s were found: April 18, 2005, August 5, 2005, May 3, 2006, December 20, 2006, and February 2, 2007. Copies of these initialed PTO Form SB/08s are enclosed herewith as Exhibits 1-5. Applicants have not received any initialed PTO Form SB/08s from the January 24, 2007 and April 10, 2007 IDS submissions.

Examiner Cheu and the undersigned also discussed the status of a Rule 48 inventorship correction request that the Applicants requested on April 4, 2007. In that request, Applicants sought to add Ping Gao as a co-inventor to the present application. Examiner Cheu agreed to look into the status of the inventorship correction request.

Dated: November 8, 2007

Respectfully submitted,

By           /Peng Chen/            
Peng Chen  
Registration No.: 43,543  
MORRISON & FOERSTER LLP  
12531 High Bluff Drive, Suite 100  
San Diego, California 92130-2040  
(858) 720-5117



ALTERNATIVE TO PTO/ISOa/s (06-03)

Substitute for form PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		Application Number	10/617,489
		Filing Date	July 10, 2003
		First Named Inventor	Thomas L. CANTOR
		Art Unit	1641
		Examiner Name	J. Cheu
Sheet	1	of	1
		Attorney Docket Number	532212000623

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>

\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS – SUBJECT TO PROTECTIVE ORDER				
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>6</sup>
	1.	Declaration of Julia A. Miller in Support of Nichols Institute Diagnostics, Inc.'s Motion for Leave to File Amended Complaint, filed January 26, 2004		
	2.	Nichols Institute Diagnostics, Inc.'s Notice of Lodgement of Corrected Copy of Proposed Second Amended Complaint, Exhibit A to Declaration of Julia A. Miller in Support of Nichols' January 26, 2004 Motion for Leave to File Amended Complaint, filed February 23, 2004		
	3.	Declaration of Julia A. Miller in Support of Nichols Institute Diagnostics, Inc.'s Motion for Summary Judgment that the '790 Patent Claims are Valid and Infringed, filed February 28, 2005		

NON PATENT LITERATURE DOCUMENTS – PROPRIETARY INFORMATION				
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	4.	Declaration of Thomas L. Cantor with Exhibit A, executed on April 7, 2005		

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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	<i>C.H. Miller</i>	Date Considered	<i>8/2/05</i>
sd-254906			



ALTERNATIVE TO PTO/SB/08a/b (09-03)

Institute for form 1449/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)		<b>Complete If Known</b>	
Application Number		10/617,489	
Filing Date		July 10, 2003	
First Named Inventor		Thomas L. CANTOR	
Art Unit		1641	
Examiner Name		C. Cheu	
Attorney Docket Number		532212000623	
Sheet	1	of	1

NON PATENT LITERATURE DOCUMENTS – SUBJECT TO PROTECTIVE ORDER			
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<i>g</i>	1.	Memorandum of Points and Authorities in Support of Scantibodies' Motion for Summary Judgment of Invalidity and Noninfringement, filed February 18, 2005	
<i>g</i>	2.	Declaration of Katherine L. Parker in Support of Scantibodies' Motion For Summary Judgment of Invalidity and Noninfringement, with Exhibits 1-39, filed February 18, 2005	
<i>g</i>	3.	Nichols Institute Diagnostics, Inc.'s Opposition to Motion For Summary Judgment of Invalidity and Non-Infringement, filed March 7, 2005	
<i>g</i>	4.	Declaration of Julia A. Miller in Support of Nichols Institute Diagnostics, Inc.'s Opposition to Motion For Summary Judgment of Invalidity and Non-Infringement, with Exhibits A-E, filed March 7, 2005	
<i>g</i>	5.	Declaration of Katherine L. Parker in Support of Scantibodies' Reply Motion For Summary Judgment of Invalidity and Noninfringement, with Exhibits 1-4, filed March 14, 2005	

<sup>1</sup>EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 509. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>2</sup>Applicant's unique citation designation number (optional). <sup>3</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	<i>Attor f cheu</i>	Date Considered	1/23/05
sd-273642			



ALTERNATIVE TO PTO/SB08a/b (07-05)

Substitute for form 1448/PTO			<b>Complete If Known</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			Application Number	10/617,489	
			Filing Date	July 10, 2003	
			First Named Inventor	Thomas L. CANTOR	
			Art Unit	1841	
			Examiner Name	C. Cheu	
Sheet	1	of	2	Attorney Docket Number	532212000623

U.S. PATENT DOCUMENTS					
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FOREIGN PATENT DOCUMENTS						
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NON PATENT LITERATURE DOCUMENTS – SUBJECT TO PROTECTIVE ORDER						
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	1.	Deposition of Claude D. Amaud, taken on February 1, 2005				
	2.	Deposition of Gerald Borge, taken on January 27, 2005				
	3.	Deposition of Thomas Cantor, taken on August 27, 2003				
	4.	Deposition of Thomas Cantor (30(B)(6)), taken on September 11, 2003				
	5.	Deposition of Damon Cook, taken on June 18, 2003				
	6.	Deposition of Damon Cook (30(B)(6)), taken on September 12, 2003				
	7.	Deposition of Joseph O. Falkinham, taken on January 21, 2005				
	8.	Deposition of Wolf-Georg Forssmann, Ph.D., taken on August 25, 2003				
	9.	Deposition of Ping Gao, M.D., taken on June 18, 2003				
	10.	Deposition of Allen Garrett, taken on May 20, 2005				
	11.	Deposition of Thomas Godemeyer, taken on October 6, 2004				
	12.	Deposition of Mark Gray, taken on June 16, 2003				
	13.	Deposition of Dr. Richard Lerner, taken on January 13, 2005				
	14.	Deposition of Dr. Richard Lerner, taken on March 16, 2005				
	15.	Deposition of Markus Magerlein, Ph.D., taken on May 28, 2003				
	16.	Deposition of Markus Magerlein, Ph.D., taken on August 10, 2004				
	17.	Deposition of Michael Nordstrom (30(B)(6)), taken on September 17, 2003				
	18.	Deposition of K. Ramakrishnan, Ph.D., (30(B)(6)), taken on August 13, 2003				
	19.	Deposition of K. Ramakrishnan, Ph.D., (30(B)(6)), taken on September 3, 2003				
	20.	Deposition of Stephen Scheibel, taken August 8, 2003				
	21.	Deposition of Janet Sharp, taken on August 19, 2003				
	22.	Deposition of Randolph Wall, taken January 31, 2005				
	23.	Deposition of J. Stuart Woodhead, taken January 18, 2005				
	24.	Deposition of Zan Yang, Ph.D., taken on June 16, 2003				

Examiner Signature	<i>C. Cheu</i>	Date Considered	9/16/06
sd-312151			

Substitute for form 1449/PTO		<b>Complete If Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		Application Number	10/617,489
		Filing Date	July 10, 2003
		First Named Inventor	Thomas L. CANTOR
		Art Unit	1641
		Examiner Name	C. Cheu
Sheet	2	of	2
		Attorney Docket Number	532212000623

25.	Nichols Institute Diagnostics, Inc.'s Notice of and Ex Parte Application for Order to File Its Consolidated Confidential Declaration of April M. Alex in Support of (1) Nichols Institute Diagnostics, Inc.'s Motion for Judgment as a Matter of Law Re: Willfulness and in the Alternative for a New trial and (2) Nichols Institute Diagnostics, Inc.'s Motion For Enhanced Damages Under Seal, filed January 27, 2006
26.	Consolidated Confidential Declaration of April M. Alex in Support of (1) Nichols Institute Diagnostics, Inc.'s Motion for Judgment as a Matter of Law Re: Willfulness and in the Alternative for a New trial and (2) Nichols Institute Diagnostics, Inc.'s Motion For Enhanced Damages, filed January 27, 2006
27.	[Proposed] Order Granting Nichols Institute Diagnostics, Inc.'s Ex Parte Application to File Its Consolidated Confidential Declaration of April M. Alex in Support of (1) Nichols Institute Diagnostics, Inc.'s Motion for Judgment as a Matter of Law Re: Willfulness and in the Alternative for a New trial and (2) Nichols Institute Diagnostics, Inc.'s Motion For Enhanced Damages Under Seal, filed January 27, 2006, order signed Judge Brewster on January 31, 2006
28.	Confidential Deposition of Tom Cantor, taken on July 11, 2005

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\*Applicant's unique citation designation number (optional). \*Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	<i>cf/Hw/CLn</i>	Date Considered	9/11/06
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ALTERNATIVE TO PTO/SB/08a/b (07-05)

Substitute for form 1449/PTO		<b>Complete If Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		Application Number	10/617,489
		Filing Date	July 10, 2003
		First Named Inventor	Thomas L. CANTOR
		Art Unit	1641
		Examiner Name	C. Cheu
Sheet	1	of	1
		Attorney Docket Number	532212000623

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.†	Foreign Patent Document Country Code <sup>2</sup> -Number <sup>3</sup> -Kind Code <sup>4</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	†

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.†	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	†
	1.	Second Supplemental Response to Final Office Action from the Reexamination of United States Patent Number 6,689,566, having Control Numbers 90/007,885 and 90/007,732, filed December 1, 2006	
	2.	Non-Final Office Action from application serial number 10/945,608, mailed on November 15, 2006	
	3.	BORN et al., Endocrinology (1988) 123(4):1848-1853	
	4.	BORN et al., Mol. Endocrinol. (1987) 1:5-14	
	5.	BRINGHURST et al., Am. J. Physiol. (1988) 255(6 Pt 1):E886-93	
	6.	BRINGHURST et al., Endocrinology (1981) 108:103-108	
	7.	GARDELLA et al., Journal of Biological Chemistry (1991) 266:13141-13146	
	8.	GOLTZMANN et al., Journal of Biological Chemistry (1975) 250:3199-3203	
	9.	HORIUCHI et al., Am. J. Physiol. (1983) 244(6):E589-95	
	10.	KEUTMANN et al., Endocrinology (1985) 117(3):1230-1234	
	11.	NEER et al., J. Clin. Endocrinol. Metab. (1977) 44(2):420-423	
	12.	REEVE et al., Br. Med. J. (1980) 280:1340-1344	
	13.	ROSENBLATT et al., Biochemistry (1981) 20(25):7246-7250	
	14.	ROSENBLATT et al., Endocrinology (1978) 103(3):978-984	
	15.	SEGRE et al., Endocrinology (1985) 116(3):1024-1029	
	16.	SHIGENO et al., Journal of Biological Chemistry (1988) 263:3564-3571	
	17.	TREGGEAR et al., Endocr. Res. Commun. (1975) 2(8):561-570	
	18.	Four litigation documents in Japanese requesting withdrawal of the Japanese Patent Office's invalidation of JP Patent No. 3457004, Nichols Institute Diagnostics v. Scantibodies Laboratories of Japan, Japanese High Court	

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†Applicant's unique citation designation number (optional). ‡Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature sd-350469	Date Considered 4/3/07
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Exhibit 4

Application Serial No. 10/617,489





ALTERNATIVE TO PTO/SB08a/b (07-05)

Substitute for form 1449/PTO			<b>Complete If Known</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			Application Number	10/617,489	
			Filing Date	July 10, 2003	
			First Named Inventor	Thomas L. CANTOR	
			Art Unit	1641	
			Examiner Name	C. Cheu	
Sheet	1	of	1	Attorney Docket Number	532212000623

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Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Column, Lines, Where Relevant Passages or Relevant Figures Appear	†*
		Country Code <sup>2</sup> -Number <sup>3</sup> -Kind Code <sup>4</sup> (if known)					

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	1.	Decision of the European Patent Office regarding revocation of European Patent No. 0 783 522, dated January 10, 2007		

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	7/3/07
5d-356874			